the specification of which





71493-595 /ccm

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### SMART CONNECT

(check one)	☑ is attached hereto.	
	was filed on	
	as U.S. Application Serial No.	
	was filed on	
	as PCT International Application No.	
and (if applica	able) was amended on	

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §§1.56(a) and (b), which state:

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a toreign patent office in a counterpart application,
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

W.





- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability."

I hereby claim foreign priority benefits under 35 United States Code. §119 and/or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing of this application:

# PRIOR FOREIGN APPLICATION(S)

Date First

Filing Date
Number Country (MonthDay/Year)

Laid-open or Date Patented
Published or Granted

or Granted Priority Claimed?

I hereby claim the benefit under 35 United States Code, §119(e) of any United States provisional application(s) listed below:

**Application Number** 

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

### PRIOR U.S. OR PCT APPLICATION(S)

Application No.

Filing Datc (month/day/year) Stotus

(pending, abandoned, granted)

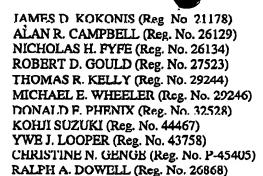
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following patent agents with full power of substitution, association and revocation to prosecute this application and/or international application and to transact all business in the Patent and Trademark Office connected therewith:

Received Jun-29-00 09:19am

From-

To-Smart & Biggar



HUGH O'GORMAN (Reg No 26140)
R. ALLAN BRETT (Reg. No. 40476)
A. DAVID MORROW (Reg. No. 28816)
JAMES MCGRAW (Reg. No. 28168)
JOHN BOCHNOVIC (Reg. No. 29229)
JOY D. MORROW (Reg. No. 30911)
TOKUO HIRAMA (Reg. No. 32551)
PHILIP D. LAPIN (Reg. No. 44443)
R. JOHN HALEY (Reg. No. 29502)
HANS KUENIG (P-464/4)

PLEASE SEND CORRESPONDENCE TO:

Customer No. 000293

DOWELL & DOWELL, P.C. 1215 Jefferson Davis Highway

Suite 309,

Arlington, Virginia 2.2202-3124

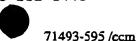
U.S.A.

Telephone: (703) 415-2555 Facsimile: (703) 415-2559

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1) INVENTOR'S S	ICMATIDE	Mall R Hyb	Date: JUNE 18/ 2000	
· IXMADENTOR 3 3	CHAICKE		Date	
Inventor's Name:	Mark	R.	Hinds	
_	(First)	(Middle)	(Family Name)	
Country of Citizens	Country of Citizenship: CANADA			
Residence: Otta	ence: Ottawa, Ontario, Canada			
	(City, Provi	uce, Country)		
Post Office Address	: 75 Merritt	Ave., Ottawa, Ontario, Cana	ada K1S 0J6	
2) INVENTOR'S S	IGNATÜRE:		Date:	
Inventor's Name:	Stephane		St. Laurant	
-	(First)	(Middle)	(Family Name)	
Country of Citizens	hip: <u>C</u> A	NADA		
Residence: Santa	esidence: Santa Clara, California, U.S.A.			
	(City, Provin	nce, Country)		
Post Office Address	: 2339 Lafs	Drive, Santa Clara, CA 950	54, U.S.A.	



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#### COMBINED DECLARATION AND POWER OF ATTORNEY

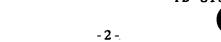
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#### **SMART CONNECT**

the specificati	on of which
(check one)	☑ is attached hereto.
	was filed on
	as U.S. Application Serial No.
	□ was filed on
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and (if applica	able) was amended on
•	that I have reviewed and understand the contents of the above identified specification, claims, as amended by any amendment referred to above.
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- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and 08/01 '00 11:30





- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
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Application Number

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# PRIOR U.S. OR PCT APPLICATION(S)

Application No. Filing Date Status (month/day/year) (pending, abandoned, granued)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following patent agents with full power of substitution, association and revocation to prosecute this application and/or international application and to transact all business in the Patent and Trademark Office connected therewith:

- 3 -

JAMES D. KOKONIS (Reg. No. 21178) ALAN R. CAMPBELL (Reg. No. 26129) NICHOLAS H. FYFE (Reg. No. 26134)

ROBERT D. GOULD (Reg. No. 27523) THOMAS R. KELLY (Reg. No. 29244) MICHAEL E. WHEELER (Reg. No. 29246) DONALD F. PHENIX (Reg. No. 32528) KOHJI SUZUKI (Reg. No. 44467) YWE J. LOOPER (Reg. No. 43758) CHRISTINE N. GENGE (Reg. No. P-45405) RALPH A. DOWELL (Reg. No. 26868)

PLEASE SEND CORRESPONDENCE TO:

HUGH O'GORMAN (Reg. No. 26140) R. ALLAN BRETT (Reg. No. 40476) A. DAVID MORROW (Reg. No. 28816) JAMES MCGRAW (Reg. No. 28168) JOHN BOCHNOVIC (Reg. No. 29229) JOY D. MORROW (Reg. No. 30911) TOKUO HIRAMA (Reg. No. 32551) PHILIP D. LAPIN (Reg. No. 44443) R. JOHN HALEY (Reg. No. 29502) HANS KOENIG (P-46474)

Customer No. 000293

DOWELL & DOWELL, P.C. 1215 Jefferson Davis Highway Suite 309. Arlington, Virginia 22202-3124 U.S.A.

Telephone: (703) 415-2555 Facsimile: (703) 415-2559

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I) HAVENTOR 2.2	IGNATURE		Date:
Inventor's Name:	Mark	R.	Hinds
_	(First)	(Middle)	(Family Name)
Country of Citizens	hip:	CANADA	
Residence: Ottav	wa, Ontario,	Canada	
<del>** * ** **</del>	(Çity, Provi	nce, Country)	
Post Office Address	: 75 Merritt	Ave., Ottawa, Ontario, Canada	a K1S,0J6
2) INVENTOR'S S	IGNATURE:	Syle State	Pate: July 23, 2000
Inventor's Name:	Stephane		St. Laurant
	(First)	(Middle)	(Family Name)
Country of Citizensl	hip: CA	NADA	
Residence: Santa	Clara, Calif	ornia, U.S.A.	
	(City, Provin	ace, Country)	
Post Office Address	: 2339 Lafs	Drive Santa Clara, CA 95054	YYS A